

**Kanab City Planning and Zoning Commission Meeting**  
**May 16, 2023**  
**Kanab City Council Chambers**  
**26 North 100 East**  
**6:30 PM**

**Present:** Chair Boyd Cory; Commission Members Russ Whitaker; Ben Clarkson 6:36 PM arrival; Heather Russell; Terry Edwards; Taylor Glover; Ben Aiken; Land Use/Building Administrator Janae Chatterley; Land Use Coordinator/Building Inspector Colton Porter; City Council Liaison Arlon Chamberlain; and City Attorney Kent Burggraaf.

**Not Present:** City Planner Bob Nicholson, Taylor Glover, Casey Glover, Terry Edwards

**Approval of Minutes:** Heather Russell made motion to approve the minutes from April 23, 2023, Russ Whitaker seconded.

Boyd Cory: Yes

Taylor Glover: N/A (Not Present)

Terry Edwards: N/A (Not Present)

Ben Aiken: Yes

Russ Whitaker: Yes

Ben Clarkson: Yes

Heather Russell: Yes

Casey Glover: N/A (Not Present)

Motion Carries.

**Public Comment:** None.

Planning Commission welcomed Casey Glover in as Alternate Member.

**5. Planning Commission review to approve or deny a Site Plan for the Kanab Center Building located at 20 N 100 E**

Janae Chatterley Stated Kane County has applied for a Building Permit to add a 140 square foot vestibule to the south side of building B and renovate areas in the building. Due to the addition of square footage to the building and the renovation being more than 50%, the request for a Building Permit triggers Chapter 9 – Site Plan Review of the Land Use Ordinances. Renovations will include the gymnasiums, break out rooms and bathrooms.

Planning Commission discussed briefly.

Russ Whitaker made motion to approve the conditional use permit based on staff's findings, Heather Russell second.

A roll call vote was taken.

Ben Aiken: Yes

Ben Clarkson: Yes

Heather Russell: Yes

Terry Edwards: N/A (Not Present)

Russ Whitaker: Yes

Taylor Glover: N/A (Not Present)

Boyd Cory: Yes

Casey Glover: N/A (Not Present)

Motion carries.

**6. Discuss and recommend to City Council a Development Agreement for parcel K-7-21-Annex and K-7-1-Annex**

Janae Chatterley stated Property Owner Jeff Yates and Dirk Clayson represented by Jeff Yates, requested a zone change to rezone parcel K-7-21-Annex and K-7-1-Annex from Rural Residential (RR-1) to Commercial Zone (C-3). City Council made a motion to approve Ordinance 3-1-23 O, An Ordinance Approving a Zone Change for Parcel K-7-21-ANNEX and K-7-1-ANNEX from RR-1 to C-3 (700 South and 900 East) with the conditions that a development agreement is agreed upon by June 13, 2023 between the City and the Applicant. Motion passed unanimously by roll call vote.

Applicant Dirk Cayson addressed and discussed the conditions and agreements with the Planning Commission

Ben Aiken made motion to send a positive recommendation based on staff's findings, with the condition of approval be that the plat amendment be approved, Russ Whitaker second

A roll call vote was taken.

Taylor Glover: N/A (Not Present)

Terry Edwards: N/A (Not Present)

Ben Aiken: Yes

Russ Whitaker: yes

Ben Clarkson: yes

Heather Russell: yes

Boyd Cory: Yes

Casey Glover: N/A (Not Present)

Motion Carries.

**7. Discuss and recommend to City Council text amendment to Kanab City Land Use Ordinance Chapter 4-16: Maximum Height of Fences, Walls, and Hedges**

Janae Chatterley stated that City Council has requested for the Planning Commission to review Chapter 4-16 Maximum Height of Fences, Walls, and Hedges. They have suggested that the following be reviewed:

- Create an intent or purpose for the section,
- Clean up and clarify the side and front yard fencing requirements for corner lots and interior lots,
- Discuss the setback requirement for a fence along the street side of a corner lot.

On March 21, 2023, we discussed the possible amendments in the Planning Commission meeting to direct staff on what amendments were needed to the section. Bob Nicholson, City Planner provided a presentation on the pros and cons of the setback for a fence. A public notice has been posted as required per the state code.

On April 18, 2023, the Planning Commission discussed the ordinance and the setbacks again. The Planning Commission requested additional amendments to clean up the text in the ordinance. Staff discussed the setback with Public Works Director, Jake Dutton who expressed concern if there is not a minimal setback for fences in areas where a sidewalk has been installed or a setback where a potential sidewalk would be installed in the future. The concern is maintaining, repairing, or replacing a sidewalk with a fence directly butting up to the back side of the sidewalk. Staff researched other city's fencing ordinances (Logan, UT; Mapleton, UT; Ivins, UT; Santa Clara, UT; Nephi, UT;) most ordinances required a setback from sidewalks or property line and had text discussing "clear sight areas" at intersections and driveways. Staff has provided a new amendment to the fencing ordinance for Planning Commission to review.

Public comment: Dirk Cayson made the point about property owners want to be able to use all the property that they own and it should be on the city to account for future maintenance.

110 The planning commission discussed at length about property lines for fencing and clear line  
111 of sight wording and how to clear it up for the general public and weather or not they  
112 should require a setback for fencing.

113 Heather Russell made motion to send positive recommendation to city council based on the  
114 findings of staff, Russ Whitaker second.

115  
116 A roll call vote was taken.

117 Ben Aiken: Yes  
118 Ben Clarkson: Yes  
119 Heather Russell: Yes  
120 Terry Edwards: N/A (Not Present)  
121 Russ Whitaker: Yes  
122 Taylor Glover: N/A (Not Present)  
123 Boyd Cory: Yes  
124 Casey Glover: N/A (Not Present)

125  
126 Motion Carries.

127  
128  
129  
130  
131 **Staff Report:** Janae Chatterley stated that the meeting may only be once in June.

132  
133  
134 **Council Member Liaison Report:** they went over construction standards and an impact fee  
135 review.

136  
137 Ben Clarkson made a motion to adjourn; Ben Aiken seconded the motion.

138  
139 A roll call vote was taken.  
140 Ben Aiken: Yes  
141 Ben Clarkson: Yes  
142 Heather Russell: Yes  
143 Terry Edwards: N/A (Not Present)  
144 Russ Whitaker: Yes  
145 Taylor Glover: N/A (Not Present)  
146 Boyd Cory: Yes  
147 Casey Glover: N/A (Not Present)

148 Motion Carries.

149

150 Meeting adjourned.

151

152

DRAFT